

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In Re: COOK MEDICAL, INC.,
IVC FILTERS MARKETING, SALES
PRACTICES AND PRODUCTS
LIABILITY LITIGATION

Case No. 1:14-ml-2570-RLY-TAB
MDL No. 2570

This Document Relates to:

Colligan, Russell – 1:19-cv-02154
Lament, Charles and Jeanette – 1:19-cv-03052
Simpson, Yolanda – 1:19-cv-04806

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Case Management Order No. 32, and upon review of the Seventh Circuit Court's decision in *Sykes v. Cook Inc.*, 72 F.4th 195 (7th Cir. 2023), Plaintiffs in the above-captioned case acknowledge that, based on review of the evidence, the amount in controversy in this matter does not exceed the jurisdictional threshold of \$75,000, exclusive of interest and costs, as required for this Court's exercise of subject matter jurisdiction. *See* 28 U.S.C. § 1332(a).

Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs and the Cook Defendants stipulate to the dismissal of all claims in this action without prejudice for lack of subject-matter jurisdiction. Each party shall bear its own fees and costs.

Dated: November 8, 2024

/s/ C. Moze Cowper
C. Moze Cowper
Cowper Law LLP
10880 Wilshire Boulevard, Suite 1840
Los Angeles, California 90024
Telephone: (877) 529-3707
Facsimile: (877) 284-0980
Email: mcowper@cowperlaw.com

Attorney for Plaintiffs

/s/ Andrea Roberts Pierson
Andrea Roberts Pierson
Faegre Drinker Biddle & Reath LLP
300 North Meridian Street, Suite 2500
Indianapolis, Indiana 46204
Telephone: (317) 237-0300
Facsimile: (317) 237-1000
Email: andrea.pierson@faegredrinker.com

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of November, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ Andrea Roberts Pierson